

Chittenden County

Moquin's Bakery, 78 Rose St.,
Burlington, 97000645

Wisconsin*Clark County*

Silver Dome Ballroom, The, US 10, 1
mi. W of jct. of US 10 and Collier Rd.,
Hewett, 97000647.

[FR Doc. 97-14976 Filed 6-6-97; 8:45 am]

BILLING CODE 4310-70-P

DEPARTMENT OF JUSTICE**Notice of Consent Decree Pursuant to the Clean Water Act**

In accordance with Departmental Policy and 28 CFR 50.7 notice is hereby given that a proposed Agreement And Order Regarding Modification Of The December 23, 1988 Modified Consent Decree (hereafter referred to as "the Proposed Agreement And Order") in *United States v. City of Baton Rouge, et al.*, Civil Action No. 88-191A, was lodged in the United States District Court for the Middle District of Louisiana on May 28, 1997. The proposed Agreement and Order (1) modifies certain injunctive relief and stipulated penalties provisions of the December 23, 1988 Modified Consent Decree and (2) settles the United States' claim for stipulated penalties which have been incurred or would have been incurred under the December 23, 1988 Modified Consent Decree in connection with Baton Rouge's failure to meet the construction schedule for the North Treatment Plant between January 1, 1997 and July 31, 1998.

Under the terms of the proposed Agreement and Order, the City of Baton Rouge is required to complete by July 31, 1998 construction of all improvements necessary to (a) achieve full secondary treatment and (b) to attain compliance with all aspects of National Pollutant Discharge Elimination System permit No. LA0036439 issued to the city of Baton Rouge with effective date November 1, 1996 (hereafter referred to as "the NPDES permit"). The City of Baton Rouge is also required to comply with the effluent limits set forth in the NPDES permit. Finally, under the proposed Agreement and Order, the City of Baton Rouge is required to pay a penalty of one hundred forty thousand dollars (\$140,000).

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, written comments relating to the proposed Consent Decree. Comments

should be addressed to the Assistant Attorney General for the Environment and Natural Resource Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States versus City of Baton Rouge, et al.*, DOJ No. 90-5-1-1-2769.

The proposed Consent Decree may be examined at the Region 6 Office of the U.S. Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas 75202 and at the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. Copies of the Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please enclose a check in the amount of \$2.00 for a copy (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 97-14928 Filed 6-6-97; 8:45 am]

BILLING CODE 4410-15-M

DEPARTMENT OF JUSTICE**Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980**

Notice is hereby given that on May 28, 1997, a proposed consent decree in *United States v. City of Tacoma*, Case No. C97-5336RJB (W.D. Wash), was lodged with the United States District Court for the Western District of Washington. The Consent Decree resolves claims brought by the trustees for natural resources in Commencement Bay (located adjacent to Tacoma, Washington) against the City of Tacoma and its Department of Public Utilities pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9601, *et seq.* The trustees for natural resources in Commencement Bay are the National Oceanic and Atmospheric Administration (NOAA), the Department of the Interior (DOI), the State of Washington, the Puyallup Tribe of Indians, and the Muckleshoot Indian Tribe (collectively "the Trustees"). Pursuant to a memorandum of understanding, the Trustees are jointly conducting a Natural Resource Damage Assessment (NRDA).

Defendants' liability stems from their ownership and operation of a municipal storm water drainage system and other properties that are or have been the

source of releases of a series of hazardous substances into the waters of Commencement Bay. The proposed Consent Decree requires the defendant to acquire or perpetually lease five parcels of land located on the Commencement Bay shoreline and spend a total of approximately \$3.3 million constructing and maintaining five habitat restoration projects on these properties. The Consent Decree also requires that the City make the following payments and in-kind contributions: (1) \$227,000 to the Trustees as reimbursement of past damage assessment costs; (2) \$500,000 to the Trustees as reimbursement of anticipated costs in Trustee oversight of the City's construction and maintenance of the restoration projects; (3) \$500,000 to the Puyallup and Muckleshoot tribes to support tribal government programs for the planning and implementation of habitat restoration and other activities related to conservation and protection of natural resources in the Commencement Bay Environment; (4) \$250,000 in the form of in-kind services to the NRDA and (5) \$75,000 operating a pollution-reporting hotline and ancillary support services for five years.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and refer to *United States v. City of Tacoma*, DOJ number 90-11-2-1049A.

Copies of the proposed consent decree may be examined at the Office of the United States Attorney, 3600 Seafirst Fifth Avenue Plaza, 500 Fifth Avenue, Seattle, WA 98104; and the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained by mail or in person from the Consent Decree Library. When requesting a copy of the consent decree, please enclose a check in the amount of \$16.00 for consent decree only or \$85.75 for consent with attachments (25 cents per page reproduction costs) payable to the "Consent Decree Library". When requesting a copy please refer to *United States v. City of Tacoma*, DOJ Case number 90-11-2-1049A.

Joel Gross,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 97-14929 Filed 6-6-97; 8:45 am]

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